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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,664	12/01/2003	Thomas H. Fischer	89190.115103/DP-311145	2354

22851 7590 06/16/2005
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EXAMINER

JACYNA, J CASIMER

ART UNIT PAPER NUMBER

3751

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.

10/724,664

Examiner

J. Casimer Jacyna

Applicant(s)

FISCHER, THOMAS H.

Art Unit

3751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the IDS of 4/14/2005.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 01 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 04142005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. The following is an examiner's statement of reasons for allowance: In regard to the Kawashima et al. reference (the X reference on the IDS submitted 4/14/2005), note that the claims call for a primary valve to bypass a portion of the regular oil flow to 64 in order to provide low pressure oil at 22 as shown in figure 1. The secondary valve closes the bypass line and the primary valve so that all of the oil flows to 22 as a high pressure flow at 22 as shown in figure 2. This is the structure clearly called for in all of the claims. For example, claim 1, part a) defines a primary valve with a bypass flow that allows low pressure in a gallery. Claim 1, part b) defines a second valve that shuts the bypass flow on or off so as to control the opening of the primary valve to allow high pressure flow at the gallery 22 as shown in figure 2. As seen in figure 6 of Kawashima, Kawashima has a bypass flow through conduit 107 to provide low pressure flow. There is no valve in conduit 107 to control the bypass flow as called for in the claims. The second valve 111 controls the flow through a second pilot channel 102 that leads to 110 at the top of piston 99 to open or close the primary valve 105 which either opens to allow a high pressure and full flow to 97 or is closed to prevent any flow through 105 to 97 so that only the by pass flow from 107 reaches 97 as a low pressure flow. However, the bypass line 107 is always opened and is not closed by the second valve as called for in the claims, and the second valve 111 only controls a pilot flow to the top of a control piston and does not control a bypass flow that provides low pressure oil to a gallery as claimed. Note that the claims clearly state that the primary valve is open to provide low pressure flow to the gallery. This is the exact opposite of Kawashima which

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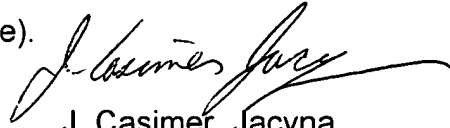
opens the primary valve 105 for high pressure flow (not low) and the primary valve 105 is closed for the low pressure flow.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Casimer Jacyna whose telephone number is 571-272-4889. The examiner can normally be reached on Wed. thru Fri. 9AM-7PM, Mon. 7AM-1PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on 703-272-4835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


J. Casimer Jacyna
Primary Examiner
Art Unit 3751

JCJ